

**FOR IMMEDIATE RELEASE**  
**Thursday, March 30, 2006**

**(R-2586)**  
**202/273-1991**  
**www.nlr.gov**

**LABOR BOARD INVITES AMICUS BRIEFS TO BE FILED  
ON DANA CORP. PENDING CASES**

The National Labor Relations Board today issued a notice inviting additional interested amici to file briefs in *Dana Corporation and Auto Workers (UAW) International*, Cases 7-CA-46965, et al. and 7-CB-14083, et al. on or before April 27, 2006. The case presents the issue, among others, of whether and to what extent an employer and a union can lawfully negotiate and reach an agreement which sets forth the conditions under which union organizing will occur, a provision for card-check recognition, and some of the terms and conditions which will be embodied in any eventual collective-bargaining agreement.

The matter was transferred to the Board following the issuance of the administrative law judge's decision (JD-24-05) on April 11, 2005. The General Counsel and the individual Charging Parties filed exceptions and briefs. Respondent Dana filed an answering brief on June 28, 2005, and on that same date the AFL-CIO filed a Motion seeking permission to become an amicus and to file a joint brief with Respondent UAW in opposition to the exceptions. The UAW and AFL-CIO joint answering brief accompanied the Motion, and on August 11, 2005 the amicus request was granted and the joint brief was accepted.

Additional interested amici are invited to file briefs, not to exceed 35 pages, with the Board in Washington, D.C.

The full text of the Board's notice is attached.

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NOT INCLUDED  
IN BOUND VOLUMES

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

DANA CORPORATION  
Respondent Employer

and

INTERNATIONAL UNION, UNITED AUTOMOBILE,  
AEROSPACE, AND AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA (UAW), AFL-CIO  
Respondent Union

and

GARY L. SMELTZER, JR  
Cases 7-CA-46965  
7-CB-14083

and

JOSEPH MONTAGUE  
Cases 7-CA-47078  
7-CB-14119

and

KENNETH A. GRAY  
Cases 7-CA-47079  
7-CB-14120

**NOTICE AND INVITATION TO FILE BRIEFS**

This matter was transferred to the Board following the issuance of the administrative law judge's decision (JD-24-05) on April 11, 2005.<sup>1</sup> Thereafter, the General Counsel and the individual Charging Parties filed exceptions and briefs. Respondent Dana filed an answering brief on June 28, 2005, and on that same date the AFL-CIO filed a Motion seeking permission to become an amicus and to file a joint brief with Respondent UAW in opposition to the exceptions. The UAW

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<sup>1</sup> The decision can be reviewed on the Board's website at [http://www.nlr.gov/nlr/shared\\_files/decisions/ALJ/JD-24-05.pdf](http://www.nlr.gov/nlr/shared_files/decisions/ALJ/JD-24-05.pdf).

and AFL-CIO joint answering brief accompanied the Motion and on August 11, 2005 the amicus request was granted and the joint brief was accepted.<sup>2</sup>

Others who may have an interest in this matter are invited to seek amicus status<sup>3</sup> and to file briefs with the Board in Washington, D.C. on or before April 27, 2006 addressing the issues in the case. Eight copies of the amicus brief, which shall not exceed 35 pages in length, must be filed with the Board with a certificate of service on all the parties.<sup>4</sup> (A list of the parties with their addresses is attached.) No extensions of time will be granted for the filing of these amicus briefs. The parties may file responses to the amicus briefs on or before May 11, 2006. No extensions of time will be granted for filing responses. No other responsive briefs will be accepted.

Dated, Washington, D.C., March 30, 2006

By direction of the Board:

Lester A. Heltzer  
Executive Secretary

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<sup>2</sup> On February 10, 2006 the AFL-CIO filed a Motion to Present Oral Argument, and on February 21, 2006 the Charging Parties filed an opposition. That Motion remains under consideration by the Board.

<sup>3</sup> The grant of amicus status in *Dana Corporation*, 8-RD-1976, and *Metaldyne Corporation (Metaldyne Sintered Products)*, 6-RD-1518 et al., does not extend to the instant proceeding. Accordingly, those granted amicus status in the above cases who wish to seek amicus status in the instant proceeding must file a separate request with the Board.

<sup>4</sup> Please also submit in your mailing your document on a CD using Portable Document Format (\*.pdf). Persons who do not have the ability to submit documents in PDF format may submit documents in Microsoft Word (\*.doc).

**National Labor Relations Board  
Offices of the Board  
Participants Docket and Order**

07-CA-46965-001 **Dana Corporation**

**Respondent Employer**

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**Respondent Employer**

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**Respondent Employer MR**

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**Respondent Union**

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**Respondent Union MR**

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